

To the Honorable Council
City of Norfolk, Virginia


November 10, 2015

From: David Ricks, Director of Public Works

Subject: Encroach, into rights-of-way of Greens Court, Boush Street and Charlotte Street with building façade, Juliet balconies, foundation, canopies and roof overhangs.

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **R-8**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** 450 Boush, L.L.C.
450 Boush Street
Norfolk, Virginia 23510

III. **Description:**
This agenda item is an ordinance permitting 450 Boush, LLC to encroach into the rights-of-way of Greens Court, Boush Street and Charlotte Street with building façade, Juliet balconies, foundation, canopies and roof overhangs.

IV. **Analysis:**
The encroachment in this location will allow 450 Boush, LLC to complete construction of new apartments at 450 Boush Street.

V. **Financial Impact:**
Liability insurance has been provided naming the City of Norfolk ("City") as additional insured in the amount of \$2,000,000; therefore, there should be no financial risk to the City. The City did not charge a fee for this encroachment.

VI. **Environmental:**
There are no known environmental issues related to this encroachment.

VII. Community Outreach/Notification:

Public notification for this agenda item was conducted through the City's agenda notification process.

VIII. Board/Commission Action:

The Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office have reviewed this request for encroachment and offer no objections. The encroachment was reviewed and recommended by the Norfolk Design Review Process.


IX. Coordination/Outreach:

This letter and ordinance have been coordinated with the Department of Public Works, the Department of Planning & Community Development, and the City Attorney's Office.

Supporting Material from the City Attorney's Office:

- Ordinance
- Exhibit A & B (9 sheets)

Form and Correctness Approved

By 
Office of the City Attorney


Contents Approved:

By 
DEPT. Public Works

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE PERMITTING 450 BOUSH, LLC TO ENCROACH INTO THE RIGHT-OF-WAY AT GREENS COURT, BOUSH STREET AND CHARLOTTE STREET WITH BUILDING FAÇADE, JULIET BALCONIES, FOUNDATION, CANOPIES AND ROOF OVERHANGS.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That permission is hereby granted to 450 Boush, LLC ("450 Boush") to encroach into Greens Court 1'4'' with a building façade, canopy and roof overhang, and 3' with Juliet balconies, all at 15' above grade; into Boush Street 10'' with a canopy 8' to 15' above grade, 1'2'' with a canopy 15' above grade, 2' with a roof overhang, 6'' with building façade 15' above grade, and foundation at ground grade; into Charlotte Street 2'10'' with building façade 15' above grade, 11'' with Juliet balconies 15' above grade, 11'' with canopy 8' to 10' above grade, a maximum of 5' with canopies 15' above grade, 9'1'' with roof overhang, and foundation at ground grade; all of which are described on Exhibit A and shown on Exhibit B, attached hereto, such permission being further subject to the following conditions:

- (1) That this permission is expressly subject to the right of revocation by the Council and that in the event of such revocation, 450 Boush, or its successors and assigns, shall immediately remove the encroaching structures.
- (2) That upon the removal of the encroaching structures or any part thereof, the authority hereby granted shall cease and terminate.
- (3) That 450 Boush, or its successors and assigns, at its own cost and expense, shall take out and keep in full force and effect commercial general liability insurance with a company authorized to do business in the Commonwealth of Virginia, insuring and naming the City of Norfolk ("City") as an additional insured in the amount of at least

\$2,000,000.00 each occurrence and \$3,000,000.00 general aggregate against liability from any and all claims, actions and suits that may be asserted or brought against the City of Norfolk and/or 450 Boush, and its successors and assigns, for any injury to or death of any person or persons or for any damage to or destruction of property resulting from the installation, maintenance, or existence of said encroaching structures, with evidence of such insurance being filed with the Director of Risk Management for the City.

- (4) That the City shall not be responsible for any damage to the encroaching structures, including replacement and reinstallation costs, resulting from the City's operation, maintenance, repair, or replacement of any utilities located in the encroachment area of Greens Court, Boush Street, and Charlotte Street.

Section 2:- That the failure of 450 Boush, or its successors and assigns, to fully comply with all requirements and conditions set forth herein shall act as an automatic revocation of the permission granted hereby.

Section 3:- That the use of the said encroaching structures shall be deemed an acceptance by 450 Boush, and its successors and assigns, of all conditions to which the permissions herein are granted.

Section 4:- That this ordinance shall be in effect from and after its adoption.

EXHIBIT A

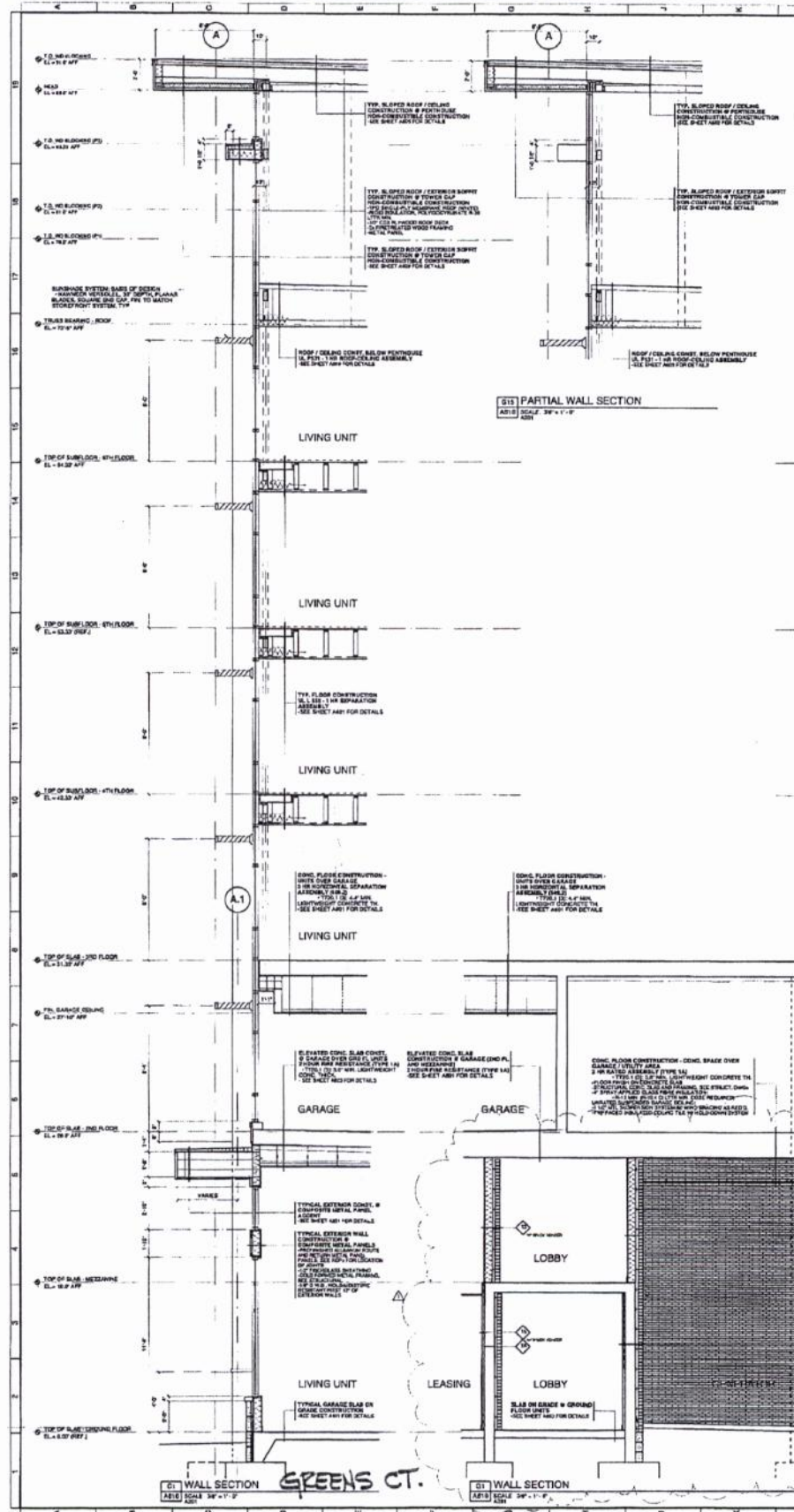
450 Boush Street Encroachments

Encroach into Greens Court, Boush Street and Charlotte Street rights-of-way with building façade, Juliet balconies, foundation, canopies and roof overhangs;

Into Green's Court 1' - 4" with a building façade, canopy and roof overhang, and 3' with Juliet balconies, all 15' above grade;

Into Boush Street 10" with a canopy 8' to 15' above grade, 1' - 2" with a canopy 15' above grade, 2' with a roof overhang and 6" with building façade 15' above grade, and foundation at ground grade;

Into Charlotte Street 2' - 10" with building façade 15' above grade, 11" with Juliet balconies 15' above grade, 11" with canopy 8' - 10' above grade, a maximum of 5' with canopies 15' above grade and 9' - 1" with roof overhang, and foundation at ground grade;



LI WALL SECTION
AEC3 SCALE: 3/8" = 1'-0"
AED:

[illegible]

MEZZANINE

11'-8" TO UNDERSIDE OF MEZZANINE CANOPIES (INDICATED IN RED)

EXISTING TRAFFIC SIGNAL

EXISTING LIGHT POST

CANOPIES, TYP.

EXISTING CURB LINE

EXISTING LIGHT POST

EXISTING GUY POST & WIRE, TYP.

RELOCATED LIGHT POST

OPEN TO BELOW

PEC

STAIRS

Dimensions: 12'-4", 15'-4", 8'-0", 6'-7", 8'-7", 10'-4", 8'-2", 10'-5", 10'-5", 10'-5"

SECOND FLOOR
1/16" = 1'-0"
17'-0" TO UNDERSIDE OF SECOND FLOOR CANOPIES (INDICATED IN RED)

EXISTING TRAFFIC SIGNAL

EXISTING LIGHT POST

CANOPIES, TYP.

EXISTING CURB LINE

EXISTING LIGHT POST

EXISTING GUY POST & WIRE, TYP.

RELOCATED LIGHT POST

11'-5"

14'-11"

COMPACT

REC

13 7 COMPACT

COMPACT

THE LOFTS AT
450 BOUSH ST.
ENCROACHMENT
DETAILS
7/22/15

Cox, KL
Comp

**THE LOFTS AT
450 BOUSH ST.**
ENCROACHMENT
DETAILS
7/22/15

Cox, Klier &
Company, P.C.

1. 姓名: 王小明
 2. 性别: 男
 3. 年龄: 25
 4. 职业: 程序员
 5. 地址: 北京市朝阳区
 6. 电话: 13800138000
 7. 邮箱: wangxm@163.com
 8. 身份证号: 110101199801010001

$$1/16^{\circ} = 1^{\circ}40'$$

EXISTING —
LIGHT POST

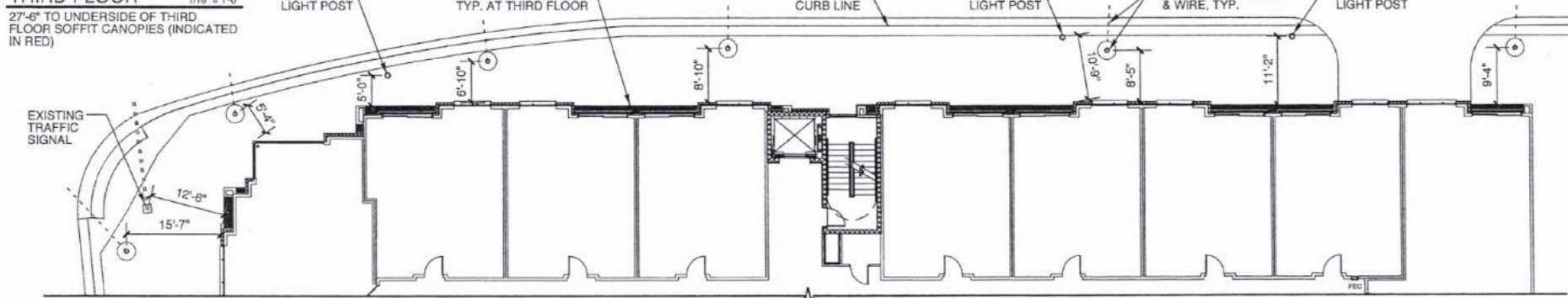
SOFFIT CANOPY, —
TYP. AT THIRD FLOOR

EXISTING—
CLIPP LINE

EXISTING —
LIGHT POST

—EXISTING GUY POST
& WIRE, TYP.

— RELOCATED
LIGHT POST


$$1/16^\circ = 1'40''$$

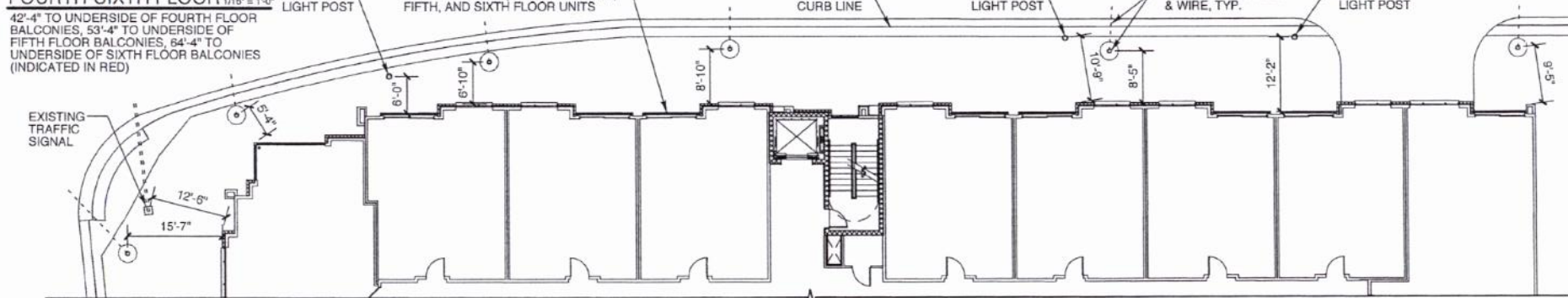
EXISTING —
LIGHT POST

JULIET BALCONY, TYP. AT FOURTH, FIFTH AND SIXTH FLOOR UNITS

EXISTING—
CURB LINE

EXISTING —
LIGHT ROSE

EXISTING GUY POST
& WIRE, TYP.

RELOCATED
LIGHT POST
$$1/16'' = 1'-0''$$

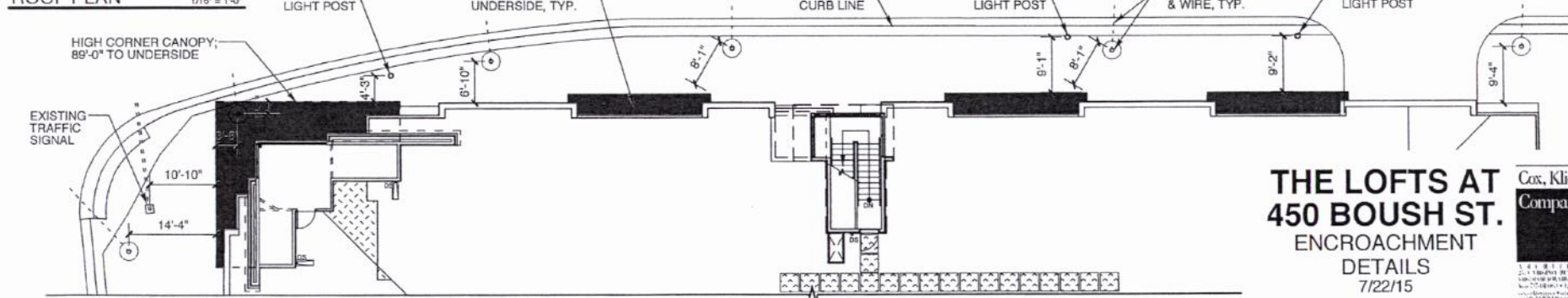
EXISTING —
LIGHT POST

CANOPY: 73'-5" TO-
UNDERSIDE TYP.

EXISTING—
CURB LINE

EXISTING -
LIGHT BOSS

EXISTING GUY POST
& WIRE, TYP.

RELOCATED
LIGHT POST

Cox, Klier &
Company, P.C.

[illegible]